



Attorney's Docket No.: 41003.P023

the specification of which

PATENT

## **DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Method and Apparatus For People To Simply Communicate Their Location And Activity

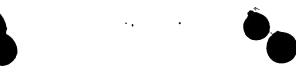
	s attached hereto. was filed on United States Appli or PCT Internationa and was amended	al Application Number	_ as 		
	and was amonasa	(if appli	cable)	•	
	at I have reviewed and under luding the claim(s), as ame				
	e duty to disclose all inform 7, Code of Federal Regulat		material to paten	tability a	as
foreign application any foreign appli	reign priority benefits under on(s) for patent or inventor's cation for patent or inventor nich priority is claimed:	s certificate listed below a	ind have also ide	ntified b	elow
Prior Foreign Ap	plication(s)			Priority Claimed	
(Number)	(Country)	(Day/Month/	Year Filed)	Yes I	No
(Number)	(Country)	(Day/Month/	Year Filed)	Yes i	No
(Number)	(Country)	(Day/Month/	Year Filed)	Yes	No
	e benefit under title 35, Uni cation(s) listed below	ted States Code, Section	₁119(e) of any Ur	nited Sta	ates
(Application N	umber) Filin	g Date			

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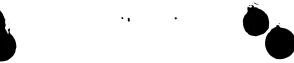




(Application Number)	Filing Date	
application(s) listed below and, it is not disclosed in the prior Unite of Title 35, United States Code, known to me to be material to pa	nsofar as the subject mated States application in the Section 112, I acknowled atentability as defined in I lable between the filing d	ode, Section 120 of any United States ter of each of the claims of this application e manner provided by the first paragraph ge the duty to disclose all information Fitle 37, Code of Federal Regulations, ate of the prior application and the national
(Application Number)	Filing Date	(Status patented, pending, abandoned)
(Application Number)	Filing Date	(Status patented, pending, abandoned)
K. Klindtworth (Reg. No. P47,	211) and Robert T. Wa and revocation, to pro-	35,432; Robert A. Diehl, Reg. No. 40,992, Jason att (Reg. No. 45,890) my patent attorney/agent; secute this application and to transact all cted herewith.
Columbia IP Law Group, LLC, 49 and direct telephone calls to	ne of Attorney or Agent) 900 SW Meadows Rd., S	uite 109, Lake Oswego, OR 97035. , (503) 534-2800.
statements made on information statements were made with the punishable by fine or imprisonme	and belief are believed t knowledge that willful fals ent, or both, under Section	wn knowledge are true and that all to be true; and further that these se statements and the like so made are on 1001 of Title 18 of the United States are the validity of the application or any
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## Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

- (a) A patent by its very nature is affected with a public interest. The public interest is best served. and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclosure information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclosure all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made or record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.